

REMARKS

Submitted herewith is a new Declaration and Power of Attorney. This Declaration claims priority to Indian patent application NO 19610(265MAS/2003) filed March 31, 2003. A certified copy of the priority application has been ordered and will be filed separately.

Applicant confirms the election of claims 7 through 24. Claims 1-6, 8, 10 and 15-23 have been cancelled. The remaining original claims have been amended to address the Examiner's objections and rejections under sections 101 and 112. New claims 25, 26 and 27 have been added. Support for these claims can be found in paragraph 0022 of the specification and in the Figures. No additional fee is due for the added claims because original claims were cancelled.

Applicant has amended the specification and drawings to overcome the Examiner's objections. More specifically, original Figure 2 has been replaced by original Figure 3 and a new figure, similar to Figure 1, but displaying search results by Zip code, is submitted as Figure 3.

Claim 7 has been amended to include the step of "displaying the selected locations in order of distance between the known location and the selected location." This step is not taught or suggested by any of the cited references. Accordingly, claim 7 is patentable. The remaining claims depend directly or indirectly from claim 7. They are patentable because claim 7 is patentable.

The Examiner has cited and primarily relied upon United States Patent No. 6,381,603 to Chan et al. Chan uses Zip code as a 'constraint' to draw a boundary or enforce a restriction for the search, where the GPS device is currently located. He

repeatedly uses the phrase "ZIP code area where said coordinate is located" -- this implies that the coordinate itself is not derived from the Zip code and that the Zip code is used as a boundary. In fact, he never explains how he could stop searching when he finds 'merchandise' that falls into the next Zip code.

In Chan's patent, merchandise that is in a different Zip code, but closer to the GPS device than businesses in the same Zip code as the GPS device, will not be displayed. (Zip code being a constraint). If it does, then the Zip code is really not a constraint and is not used at all - just the coordinates of the GPS device. He also mentions GPS coordinates consistently which implies that the focal point is provided by the GPS satellites to the GPS device. Chan expects coordinates to be entered or provided by the GPS device.

In the present invention telephone numbers and Zip codes are used as a starting point and not as a 'constraint.' Applicant derives the coordinates from the entered Zip code or telephone number.

There is no teaching or suggestion in Chan of displaying search results in order of distance from the known location.

The Examiner has combined Chan with one or more of United Patent Nos. 6,571,279 to Hertz, 5,588,048 to Neville, 5,635,953 to Hayami et al. and 5,559,707 to DeLorme et al. and published application 2005/00500897 to Yeh. None of these references teach or suggest displaying search results in order of distance from the known location.

In DeLorme the focal point is the route -- not the telephone number of the business that happens to be in the route. For example, if a user wants a route with Pizza

Huts along the way, the algorithm will use the highway as the reference and depending on how often or where they want to take a break, find the closest Pizza Hut to that point. The phone number of the Pizza Hut is really irrelevant. DeLorme does not mention telephone number as the start of the search in any of its claims.

Hayami uses the telephone number to plot areas on a map and as a distinction point. Applicant uses the telephone number as the origin of the search and provides search results closest to the origin.

Yeh teaches providing advertising to a mobile device based on current location. This is very different from providing advertising based on what the user is interested in. For example, a person with a GPS device can be given advertisements if he/she is roaming on Pennsylvania Avenue, Washington, D.C.. However, if the same user was browsing for hotels in California (because he/she may be visiting in the near future) Yeh's method does not encompass that scenario.

Neville discloses a system for routing telephone calls. While he uses longitude and latitude to define the position of the caller and the position of the person being called, he does not select more than one location apart from the location of the caller. He is not concerned with the problems being addressed by Applicant.

Hertz discloses a method for delivering information to potential recipients within a predetermined vicinity.

There is no teaching or suggestion in any of the cited references of displaying search results in order of distance from the known location. Accordingly, the claims as amended are patentable over the prior art.

Reconsideration and allowance are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lynn J. Alstadt". The signature is fluid and cursive, with the first name "Lynn" and last name "Alstadt" clearly distinguishable.

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